

Stephanie Wickouski (SW5957)
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1675 Broadway, 25th Floor
New York, NY 10019
(212) 484-3900

File Dated: 3/21/01

<u>I. Profession</u>	<u>Accrediting Agency or Jurisdiction</u>	<u>Date of Admission</u>
Attorney	New York	2000
Attorney	District of Columbia	1985
Attorney	Maryland	1986
Attorney	Virginia	1979

II. Professional Organization **Date of Admission** **Active/Inactive**

I am an active member of the American Bar Association, the American Bankruptcy Institute, the Women's Bar Association of the District of Columbia, and the state bar associations in each of the jurisdictions listed above.

III. General professional experience:

I have twenty-two years of experience in bankruptcy, debt restructuring and business insolvency. The majority of my practice is bankruptcy litigation, i.e., civil disputes involving commercial, real estate, contract, tax, corporate or banking issues in context of a bankruptcy case. In the past few years, I have concentrated on troubled real estate, health care provider insolvency and civil fraud.

I served as a panel trustee with the United States Bankruptcy Court for the Eastern District of Virginia and as a mediator with the United States District Court for the District of Columbia. Prior to entering private practice, I was a trial attorney in the Civil Division of the United States Department of Justice. At the Department of Justice, in addition to litigating bankruptcy cases, I handled government contract cases before the United States Court of Claims (now the United States Court of Federal Claims), administrative appeals before Court of Appeals for the Federal Circuit, and commercial cases before the United States District Courts.

IV. General pertinent experience:

I have participated in numerous mediations either as the mediator or as counsel to a party. Most of the mediations in which I have participated have been complex and extremely adversarial.

Virtually all of these mediations were successful. David Estabrook, the mediator in a complex and acrimonious dispute in which I represented the target of a multi-million dollar lender liability claim, described my contribution to that mediation in a letter that Mr. Estabrook later wrote recommending me for a judicial appointment. Mr. Estabrook's comments best describe my suitability as a mediator. A copy of his letter is attached.

V. Mediation training:

I have participated in a mediation training program. The programs in which I have participate are described below (including course, program sponsor and hours):
United States District Court for the District of Columbia - mediation program (1 day program).

VI. Pertinent bankruptcy training:

My practice is a traditional commercial bankruptcy practice. I represent business debtors, creditors, landlords, investors, and purchasers in insolvency situations and bankruptcy cases throughout the country. I have extensive experience in the following specialized areas: health care provider insolvency; government contracts; commercial real estate; and bankruptcy fraud.

VII. General pertinent business or legal experience:

A copy of my curriculum vitae is attached.

While I am a resident partner in my firm's Washington, D.C. office, a substantial portion of my practice is devoted to matters in New York. As a result, approximately one-third of my business time is spent in my New York City office. Therefore, I am in a position to conduct mediations in my firm's New York office without out-of-pocket travel expenses to the parties. I would be especially well suited to serve in cases where locally based mediators are ineligible because of conflicts, or where one or more of the parties or their counsel is geographically closer to Washington, DC than New York City.

STEPHANIE WICKOUSKI

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Washington, D.C. 20009
(202) 857-6424/(202) 986-3013
wickouss@arentfox.com
wickouss@aol.com

SUMMARY:

Expert in business bankruptcy and insolvency, commercial transactions, and commercial litigation. Specialties include business acquisitions, real estate, health care, and financial fraud

LEGAL EXPERIENCE:

National Bankruptcy and Litigation Practice:

Partner, Arent Fox Kintner Plotkin & Kahn, PLLC (2001 - present)
Partner, Reed Smith Shaw & McClay (1992 - 2000)

Regional Bankruptcy Practice:

Partner, Ginsburg, Feldman & Bress, Washington, D.C. (1991 - 1992)
Of Counsel, Washington, Perito & Dubuc, Washington, D.C. (1990 - 1991)
Partner, Lerch, Early, Roseman & Frankel, Bethesda, MD (1985 - 1990)

Federal Government Service:

Trial Attorney, United States Department of Justice, Civil Division, Commercial Litigation Branch (1981 - 1985)

Federal Judicial Clerkship:

Judicial Law Clerk to the Honorable Roger M. Whelan, U.S. Bankruptcy Court for the District of Columbia, Washington, D.C. (1979 - 1981)

REPRESENTATIVE CAREER HIGHLIGHTS:

- Lead bankruptcy and litigation counsel to **New York Medical Group, P.C.**, the largest independent physician group in New York City, in its chapter 11 case (Bankr. S.D.N.Y.)
- Counsel to **Newsworld Communications (The Washington Times)** in transactional matters, including the acquisition of Worldwide News (UPI)
- Lead bankruptcy counsel to **Techworld** in its successful prepackaged chapter 11 case, the largest real estate loan workout in District of Columbia history
- Virginia counsel to the **Vanguard Group**; bankruptcy counsel to **Vanguard, Dean Witter Intercapital** and **Allstate** as senior bondholders in Senior Living Choices chapter 11 case (Bankr. E.D. Va., Richmond Division)
- Lead bankruptcy counsel to **Laxalt Washington Perito & Dubuc** (formerly Danzansky Dickey and the Washington office of Finley Kumble) in connection with its chapter 11 case in the District of Columbia

- Counsel to the **Newsworld Communications/The Washington Times** in the DCI Publishing chapter 11 case (Bankr. E.D. Va., Alexandria Division)
- Expert witness on bankruptcy law in professional liability cases for **Coregis** and **CNA Insurance**
- Author of the only published treatise on bankruptcy fraud
- Media source on bankruptcy law, consulted and quoted by local press, including **Legal Times**, **The Washington Post**, and **Washington Business Journal**
- Former candidate for nomination to the federal bench, endorsed twice by the Women's Bar Association for the District of Columbia

HONORS:

Martindale Hubbell A/V Rating
 Listed in "The Guide to Leading US Insolvency Lawyers"
 Board of Trustees, American Bankruptcy Institute, "Views from the Bench" 2000
 Mediator, U.S. District Court for the District of Columbia (1990 - 1995)
 Panel Trustee, U.S. Bankruptcy Court for the Eastern District of Virginia (1986 - 1996)
 U.S. Department of Justice Special Achievement Awards (1983, 1985)

BAR MEMBERSHIPS:

District of Columbia, Maryland, New York, and Virginia

EDUCATION:

Franklin Pierce Law Center, Concord, New Hampshire, J.D., 1979
 The College of William and Mary, Williamsburg, Virginia, A.B., 1973

TEACHING AND SPEAKING EXPERIENCE:

Lecturer, Catholic University School of Law, Washington, D.C. (1984 - 1985)
 Speaker, American Bar Association; D.C. Bar/Georgetown University Law Center CLE; New Jersey State Bar; Pennsylvania Bar Institute; Maryland Institute of Continuing Professional Education of Lawyers; National Business Institute; Infocast; Maryland and Virginia Title Associations; National Home Equity Mortgage Association; Consumer Lending Society; Renaissance Management/Beard Group; Attorney General's Trial Advocacy Institute

BOOKS AND OTHER PUBLICATIONS:

Bankruptcy Crimes (Beard Books 2000)

"Defending the Bankruptcy Criminal: A Primer," ABA Litigation Magazine (Summer 1999); reprinted in California Bankruptcy Journal (Vol. 25, No. 2)

"Acquisitions of Health Care Providers from Bankruptcy," Health Law Monitor (Summer 1998)

"Law Firms Must Now Address Corporate Issues," The National Law Journal (September 30, 1996)

"Navigating Stormy Waters: 10 Tips for Keeping a Law Firm Afloat," ABA Law Practice Management (September 1996)

"Staying Afloat/Going Under," The Pennsylvania Lawyer (July/August 1996)

"The Pitfalls of Strategic Planning," Legal Times (June 24, 1996)

"Bankruptcy Fraud Primer," ABA White Collar Crime Committee Newsletter (February 1996) (reprinted in Pittsburgh Legal Journal, July 14, 1998) and New Jersey Law Journal (July 27, 1998)

"Keeping Law Firms Solvent in a Tough Market," Pennsylvania Law Weekly (October 16, 1995)

"To Survive, Retailers Need to Change," Pittsburgh Post-Gazette (July 9, 1995)

"On Troubled Waters," Washington Lawyer (May/June 1995) (reprinted in The Legal Intelligencer (November 27, 1995)

"Legal Fees: Are You Spending More, Enjoying it Less?" Washington Business Journal (July 1994)

"Dodging the Second Recession Bullet," Washington Business Journal (August 3, 1992)

"The Ten Most Common Mistakes in Workouts (and How to Avoid Them)," Pipeline Magazine (September 1991)

"Destruction of Evidence in the Bankruptcy Context," Gorelick, et al., Destruction of Evidence (Wiley 1989)

"Business Bankruptcy: Survival in a Turkish Bazaar," ABA Litigation Magazine (Spring 1987)

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"Business Bankruptcy: Survival in a Turkish Bazaar," ABA Litigation Magazine (Spring 1987)

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May 19, 1999

Mr. Samuel W. Phillips, Circuit Executive
United States Court of Appeals for the Fourth Circuit
1100 East Main Street, Suite 617
Richmond, VA 23219

RE: Stephanie Wickouski

Dear Mr. Phillips:

As a member of the bar of the United States Bankruptcy Court for the Eastern District of Virginia, I recommend Stephanie Wickouski for appointment to the bench.

I met Ms. Wickouski in the course of my practice representing creditors. In the courtroom she presents an argument calmly, directly and cogently. She commands respect by the logic and clarity of her advocacy. Judges and opposing counsel recognize her mastery of bankruptcy law. Although I know and respect several of the other candidates for their similar qualities as lawyers, Ms. Wickouski would bring something more to the bench.

Ms. Wickouski by her presence raises the quality of the proceeding. I witnessed her effect on a difficult bankruptcy mediation. I was the court's volunteer mediator for a complex commercial dispute involving several large businesses from different countries. The first meeting opened with each party making exaggerated claims of the evil motives and malicious intent of the others, with thinly disguised disdain that amounted to bigotry. Then Ms. Wickouski's turn came.

Ms. Wickouski exposed the exaggerations and the bigotry in a clear but diplomatic manner, and then proceeded to define the genuine factual, legal and practical business issues in the dispute. She raised the level of discourse among the parties (as well as the level of professionalism among the lawyers). I followed her lead as did the lawyers and parties present. We made progress in the mediation and resolved significant elements of a complex dispute after Ms. Wickouski first established and then maintained a professional level of demeanor for all of the participants in the mediation.

Mr. Samuel W. Phillips, Circuit Executive
May 19, 1999
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Ms. Wickouski's ability to lead the parties and their lawyers in the resolution of a dispute is the quality of a judge. Ms. Wickouski has the knowledge, skill, and demeanor to command a courtroom, manage a docket and resolve disputes. Moreover, she has the presence of a judge who will raise the level of respect for the judicial process among the members of the bar and the public at large.

Sincerely,



David McC. Estabrook

DME/kb

cc: Stephanie Wickouski